



WEB COPY



Writ Petition No.21501 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Writ Petition No.21501 of 2018

1.M.Manickam

2.M.Paramasivam

3.G.Ramar

... Petitioners

Vs.

1.Government of Tamil Nadu,
represented by
Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.

2.The Director of Elementary Education,
Chennai - 600 006.

3.The District Elementary Educational Officer,
Dharmapuri.

4.The Block Educational Officer,
Nallampalli Panchayat Union,
Nallampalli Taluk,
Dharmapuri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the respondents to confer and
extend the benefits of G.O.Ms.No.207, School Education, dated 30.09.2008 by



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granting Special Grade to the petitioners 1 to 3 notionally (1) from 06.08.1993 in the post of Tamil Pandit (2) from 30.03.1996 in the post of Tamil Pandit and (3) from 09.09.1998 in the post of B.T. Assistant and to revise their pensionary benefits on that basis and disburse the arrears thereof with interest by considering their representation dated 12.02.2017 within a time frame.

For Petitioners : Mr.R.Dhanasekar

For Respondents : Mrs.S.Mythreya Chandru
Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to confer and extend the benefits of G.O.Ms.No.207, School Education, dated 30.09.2008 by granting Special Grade to the petitioners 1 to 3 notionally (1) from 06.08.1993 in the post of Tamil Pandit (2) from 30.03.1996 in the post of Tamil Pandit and (3) from 09.09.1998 in the post of B.T. Assistant and to revise their pensionary benefits on that basis and disburse the arrears thereof with interest by considering their representation dated 12.02.2017 within a time frame.

2. Even at the time of filing the writ petition, the petitioner was aged about 74 years and now, he would be around 78 years. The petitioner was appointed as Higher Grade Assistant on 03.09.1968 and retired from service on



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31.05.2022. At the time of retirement, the petitioner was holding the post of Middle School Headmaster at Palacode. The petitioner states that he is eligible for revision of pension and pensionary benefits based on the Government Order issued in G.O.Ms.No.207, School Education Department, dated 30.09.2008.

3. Learned Special Government Pleader brought to the notice of this Court that the revision was effected to all the eligible pensioners based on the Government orders as applicable to them. In the present case, the eligible revision as per the pay rules and Government Orders were extended to the petitioner and the petitioner has filed the present petition after a prolonged period and therefore, it is to be rejected.

4. The Government Order issued in the year 2008. The writ petition was filed after a lapse of ten years. The benefit of revision of pension was granted to the petitioner in accordance with the Government Orders passed then and there and subsequent revision was also effected pursuant to the Pay Commission recommendation. If at all any discrepancy in the fixation of pension, the petitioner is at liberty to approach the concerned officials for rectification of mistake or otherwise, contrarily, the relief sought for in the present writ petition, at this length of time, cannot be considered.



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S.M.SUBRAMANIAM., J

gm

With the above observation, this Writ Petition is disposed of. No costs.

17.11.2022

Index : Yes
Speaking order
gm

To

- 1.The Principal Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.
- 2.The Director of Elementary Education,
Chennai - 600 006.
- 3.The District Elementary Educational Officer,
Dharmapuri.
- 4.The Block Educational Officer,
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